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10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 **LARRY DEAN PADILLA,**

15 Plaintiff,

16 v.

17 **M. S. EVANS,**

18 Defendant.  
19

CASE NO. C 06-1725 JF

**DEFENDANT'S EX PARTE  
REQUEST FOR EXTENSION  
OF TIME TO FILE A REPLY  
TO PLAINTIFF'S  
OPPOSITION TO  
DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT**

20 Defendant Evans, for the reasons more fully set forth in the accompanying declaration of  
21 counsel, respectfully requests a 15-day extension of time up to and including July 28, 2008, to

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Def.'s Ex Parte Req. Ext. Time

Padilla v. Evans  
C 06-1725 JF

1 file his reply brief to Plaintiff's Opposition to Defendant's Motion for Summary Judgment.

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3 Dated: July 11, 2008

4 Respectfully submitted,

5 EDMUND G. BROWN JR.  
6 Attorney General of the State of California

7 DAVID S. CHANEY  
8 Chief Assistant Attorney General

9 ROCHELLE C. EAST  
10 Acting Senior Assistant Attorney General

11 JONATHAN L. WOLFF  
12 Supervising Deputy Attorney General

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SCOTT J. FEUDALE  
Deputy Attorney General  
Attorneys for Defendant Evans

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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Padilla v. Evans**

No.: **C 06-1725 JF**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 11, 2008, I served the attached

**DEFENDANT'S EX PARTE REQUEST FOR EXTENSION OF TIME TO FILE A  
REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

**DECLARATION OF SCOTT J. FEUDALE IN SUPPORT OF DEFENDANT'S  
EXPARTE REQUEST FOR EXTENSION OF TIME TO FILE A REPLY TO  
PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY  
JUDGMENT**

**[PROPOSED] ORDER GRANTING DEFENDANT'S EX PARTE REQUEST FOR AN  
EXTENSION OF TIME TO FILE A REPLY TO PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Larry D. Padilla (P-05966)  
Salinas Valley State Prison  
P. O. Box 1050  
Soledad, CA 93960-1050  
In Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 11, 2008, at San Francisco, California.

M. Luna

Declarant

A handwritten signature in dark ink, appearing to read 'M. Luna', written over a horizontal line.

Signature